

REMARKS

By the foregoing Amendment, Claims 1 and 13 have been amended, and Claim 2 has been cancelled. Favorable consideration of the application is respectfully requested.

Claims 1-3, 5-10, 12-14, 16-21 and 23 were rejected under 35 U.S.C. 102(e) on the grounds of anticipation by Nelson et al. Claim 1 has been amended to recite "at least one outer coaxial sheath over at least a portion of said heating catheter shaft and covering said plurality of apertures of said reinforcing tube." Claim 13 has been similarly amended. Support for these amendments can be found in each of the figures and in the description as a whole. As is discussed in the specification at page 9, lines 19-23, the outer coaxial sheath in combination with the reinforcing tube provides the heating catheter shaft with desired variation in the stiffness along the shaft. The outer coaxial sheath covering the plurality of apertures, as is shown in all of the figures, allows for a gradual transition in stiffness of the heating catheter shaft in the area of the apertures. In column 7, lines 40-52, Nelson et al. discloses providing a plurality of micro-apertures 84 in the electrode 18 to allow for dispersion of a cooling fluid, which would be prevented in Nelson et al. by covering the micro-apertures in the electrode with an outer coaxial sheath. It is therefore respectfully submitted that Nelson et al. does not teach, disclose, suggest, or provide any motivation for placing an outer coaxial sheath over a shaft and over a reinforcing tube and covering apertures in the reinforcing tube. It is thus respectfully submitted that the claims are novel and inventive over Nelson et al., and that

the rejection of Claims 1-3, 5-10, 12-14, 16-21 and 23 on the grounds of anticipation by Nelson et al. should be withdrawn.

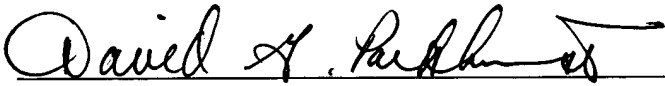
Claims 4 and 15 were rejected under 35 U.S.C. 103(a) on the grounds of obviousness from Nelson et al. in view of Mueller. It is respectfully submitted that Mueller also does not does not teach, disclose or suggest providing an outer coaxial sheath over at least a portion of said heating catheter shaft and covering the apertures of a reinforcing tube, as is claimed. It is therefore respectfully submitted that Claims 4 and 15 are also novel and inventive over Nelson et al. and Mueller, and that the rejection of Claims 4 and 15 on the grounds of obviousness from Nelson et al. in view of Mueller should be withdrawn.

Claims 11 and 21 were rejected under 35 U.S.C. 103(a) on the grounds of obviousness from Nelson et al. in view of Nardella. It is respectfully submitted that Nardella also does not does not teach, disclose or suggest providing an outer coaxial sheath over at least a portion of said heating catheter shaft and covering the apertures of a reinforcing tube, as is claimed. It is therefore respectfully submitted that the rejection of Claims 11 and 21 on the grounds obviousness from Nelson et al. in view of Nardella should be withdrawn.

In light of the foregoing amendments and remarks, it is respectfully submitted that the application should now be in condition for allowance, and an early favorable action in this regard is respectfully requested.

Respectfully submitted,

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